

Federal Defenders OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

Leonard F. Joy
Executive Director

June 4, 2008

Southern District of New York
John J. Byrnes
Attorney-in-Charge

BY HAND DELIVERY

Hon. Loretta A. Preska
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/9/08

Re: United States v. Brian Palermo
No. 07 Cr. 933 (LAP)
Request for Adjournment, on Consent

RECEIVED
JUN 10 2008

LORETTA A. PRESKA
U.S. DISTRICT JUDGE
S. D. N. Y.

Dear Judge Preska:

I am writing to respectfully request that the pretrial conference in this matter that is currently scheduled for Tuesday, June 10, 2008, be adjourned for 60 days. Mr. Palermo is awaiting the Second Circuit's decision in United States v. Williams, et. al., Docket No. 07-2664-cr(L) (argued December 12, 2007), which will determine whether he is subject to the enhanced penalties of the Armed Career Criminal Act, 18 U.S.C. § 924(e).

I have spoken with AUSA Antonia Apps, who consents to the requested adjournment. In addition, the defense consents to an order excluding Speedy Trial Act time until the adjourned date.

*The June 10 conference is adjourned
to August 12, 2008 at 10:30 A.M.*

Respectfully submitted,

*Time is excluded until that
date from calculation
under the Speedy Trial Act
in the interests of justice.*

STEVEN M. STATSINGER
Assistant Federal Defender
(212) 417-8736

AUSA Antonia Apps

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

June 9, 2008